

JAN 09 2004  
**OFFICIAL**

"PATENT"

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:  
Kenneth Lloyd Riley, et al.

SERIAL NUMBER: 09/869,988

FILED: 08/22/2001

FOR: HYDROTREATING USING  
BULK MULTIMETALLIC  
CATALYSTS§  
§ EXAMINER: James Arnold, Jr.  
§  
§ GROUP ART UNIT: 1764  
§  
§ ATTY. DOCKET NO.: GJH-0001  
§  
§  
§  
§Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450**RESPONSE TO OFFICE ACTION**

This is in response to the Office Action dated December 10, 2003.

**REMARKS**

The Examiner has rejected claims 1-3, 5-15, and 17-21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,162,350.

The Examiner has further rejected claims 1-3, 5-15, and 7-21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of copending Application No. 09/869,983, and claims 1-3, 5-8, and 10-11 of copending Application No. 09/869,985.

VIA FACSIMILE TO 1-703-872-9306

PTO/SB/21 (08-03)  
Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/869,988	<b>RECEIVE</b> <b>CENTRAL FAX CE</b> <b>OFFICE</b>
	Filing Date	08/22/2004	
	First Named Inventor	Kenneth Lloyd Riley, et al.	
	Art Unit	1764	
	Examiner Name	James Arnold, Jr.	
Total Number of Pages in This Submission	7	Attorney Docket Number	GJH-0001 (P1997J057G)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer x 3 <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to 12/10/03 Office Action with three Terminal Disclaimers and fees.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Gerard J. Hughes, Reg. No. 41,855	
Signature	<i>Gerard J. Hughes</i>	
Date	January 9, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Regina A. Tucker	
Signature	<i>Regina A. Tucker</i>	Date 01/09/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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